



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PO BOX 1450 ALEXANDRIA VA 22313-450  
WWW.USPTO.GOV

JUL 22 2003

RONALD R. SANTUCCI  
FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, New York 10151

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In re Application :  
Komelia BERGIIOF et al. :  
Serial No.: 09/463,209 : WITHDRAWAL OF ABANDONMENT  
Filed: May 12, 2000 :  
Attorney Docket No.: 930008-2003 :  
:

This is in response to the petition to withdraw holding of abandonment based on failure to receive office action filed May 16, 2003

A review of the file history shows that the Office mailed a Communication to applicants on September 17, 2002. On May 14, 2003, applicant became aware of that the infant application is abandoned during a telephonic conversation with the examiner. On May 16, 2003, the present petition was filed. Applicant's representative states that a search of the file jacket and docket records indicates that the referenced communication was never received. Applicant's statement and evidence show that the communication dated September 17, 2002 was never received.

It is noted that no Notice of Abandonment has been mailed although the application is technically abandoned. Therefor the petition is dismissed. The communication dated September 17, 2002 is being remailed herewith. Applicant is giving ONE MONTH or THIRTY DAYS from the mailing date of this decision, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

Applicants' petition is **Dismissed**.

Should there be any questions with respect to this decision, please contact Cecilia Tsang at (703) 308-0254, by mail addressed to: Director, Technology Center 1600, PO Box 1450, Alexandria VA 22313-1450, or by telephone at (703)308-0254 or by facsimile transmission at (703) 308-7230.

*Cecilia Tsang Jr*  
John Doll  
Director, Technology Center 1600